

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE SUBURBAN TEAMSTERS)		
OF NORTHERN ILLINOIS PENSION FUND)		
)	
Plaintiffs,)	
)	Case No.: 08 C 788
v.)	
)	Judge Coar
ROSELLE FARMERS LUMBER COMPANY, an)		
Illinois corporation, a/k/a ROSELLE LUMBER)		Magistrate Judge
COMPANY,)	
)	
Defendant.)	

JOINT STATUS REPORT

The parties present this Joint Status Report on May 9, 2008 with respect to the status hearing set for May 14, 2008 at 9:00 a.m. before Judge Kendall.

A. Nature of the Case

1. Lead Attorneys. Plaintiffs- John J. Toomey Arnold and Kadjan, 19 West Jackson Boulevard, Chicago, Illinois 60604 (312) 236-0415; Defendant-Timothy J. Klein, Attorney at Law, 290 Springfield Dr., Suite 220, Bloomingdale, Illinois 60108 (630) 893-5200.

2. Basis for Federal Jurisdiction. Federal jurisdiction exists under 29 U.S.C. § 1451(c).

3. Nature of the Claims asserted in the Complaint and any Counterclaims. The complaint asserts a claim for unpaid withdrawal liability under 29 U.S.C. § 1451. No counter claims have been filed.

4. Name of any party that has not been served and the nature of the non-service. All parties have been served.

5. Principal Legal Issues. Is withdrawal liability owed by Defendant? Is there any defense to the payment of this withdrawal liability?

6. Principal Factual Issues. Did Defendant completely withdraw from the Plan? Do the facts establish any defenses to payment of withdrawal liability?

B. Discovery.

1. Brief discussion of completed discovery and any remaining discovery. Plaintiffs have served written discovery. Plaintiffs intend on at least one deposition.

2. Brief description of any pending motions and anticipated motions. No motions are pending. It is anticipated that there may be a motion for summary judgment filed by Plaintiffs and possibly also by Defendant.

3. Brief discussion of any previously entered rulings on substantive issues. No rulings have been entered on substantive issues.

4. Any previously filed status reports. No status reports have previously been filed.

C. Trial.

1. If a trial is anticipated whether the parties consent to proceed before a Magistrate Judge. At this point there is not yet agreement to consent to trial before a Magistrate Judge.

2. If a trial is anticipated, how long the trial will take and whether a jury is requested. A trial would likely take two days. No jury is requested.

D. Settlement.

1. Status of any settlement discussions and whether the parties request a settlement conference. The Parties have discussed settlement and are continuing to negotiate. The Parties do not request a settlement conference at this time.

Date: May 9, 2008

TRUSTEES OF THE SUBURBAN
TEAMSTERS OF NORTHERN ILLINOIS
PENSION FUND, Plaintiff

ROSELLE FARMERS LUMBER
COMPANY, an Illinois Corporation,
Defendant

By: /s/ John J. Toomey

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